

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

YARIN NADEL aka JOE NADEL, JOE MILLER;
MICHAEL NADEL aka MICKEY MILLER;
MOVING STATE TO STATE LLC;
STATE TO STATE MOVING NY INC.;
STATE TO STATE MOVING GROUP LLC;
DIRECT VAN LINES SERVICES INC.; and
AROUND THE CLOCK MOVING SERVICES
INC.;

Defendants.

Civil Action No.
19-1578 (MKB)(CLP)

CONSENT PRELIMINARY INJUNCTION

WHEREAS on March 19, 2019, this Court issued an *ex parte* Temporary Restraining Order and Order To Show Cause (the “TRO”) upon a finding *inter alia* that (1) there was probable cause to believe that Yarin Nadel aka Joe Nadel, Joe Miller; Michael Nadel aka Mickey Miller; Moving State to State LLC; State to State Moving NY Inc.; State to State Moving Group LLC; Direct Van Lines Services Inc.; and Around the Clock Moving Services Inc. (the “Defendants”) were violating and were about to violate 18 U.S.C. § 1343; and that (2) the statutory conditions for granting a temporary restraining order under 18 U.S.C. § 1345 had therefore been met; and

WHEREAS, the Defendants consent to entry of this Preliminary Injunction without any admission or finding of liability or wrongdoing on the part of defendants; and

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WHEREAS, defendant Michael Nadel disputes that he is also known as Mickey Miller or that he has ever held himself out as Mickey Miller, and asserts that Mickey Miller is another actual living person; and

WHEREAS, any other actual living individual named Mickey Miller is not a named defendant;

THEREFORE, IT IS HEREBY ORDERED that, pursuant to 18 U.S.C. § 1345:

- A. Defendants, their agents, officers and employees, and all other persons and entities in active concert or participation with them, are preliminarily enjoined from:
- i. committing wire fraud, as defined by 18 U.S.C. § 1343;
 - ii. selling, offering for sale, auctioning, consigning, destroying or otherwise disposing of any personal property received from customers for moving, including property stored by defendants on the premises of a third-party, without prior permission and approval from the Court;
 - iii. removing personal property originally received from customers for moving, and now stored on the premises of a third-party, from the third-party premises without prior permission and approval from the Court;
 - iv. raising the price of delivery, rate “per box,” “per item,” or “per pound,” or the required deposit for services for any customers on the day of pickup or in the preceding 72 hours. Notwithstanding the foregoing, the defendants may quote a rate “per box,” “per item,” or “per pound,” and calculate the number of boxes, items, or net weight of the items transported on the day of pickup, provided they provide weight tickets documenting the weight of the truck with and without the property being transported, a bill of lading, and a receipt.
 - v. destroying, deleting, removing, or transferring any and all business, financial, accounting and other records concerning defendants’ operations and the operations of any other corporate entity owned or controlled, in whole or in part, by defendants.
- B. The Temporary Restraining Order initially ordered on March 19, 2019, is superseded by this Preliminary Injunction.
- C. The Preliminary Injunction Hearing scheduled for April 2, 2019, is cancelled, and the parties are excused from appearing on that date.

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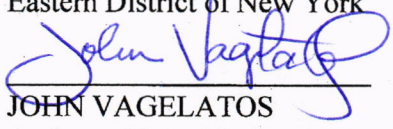
D. This Preliminary Injunction shall continue until a final judgment or order is issued in this matter, unless otherwise modified in writing by the Court.

IT IS HEREBY AGREED:

THE UNITED STATES OF AMERICA

March 29, 2019

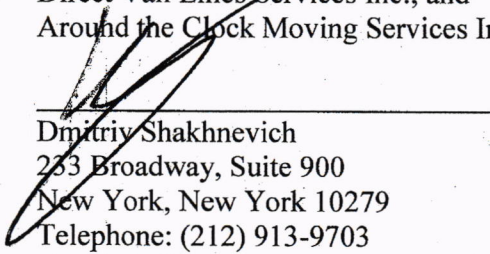
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DEFENDANTS

March 29, 2019

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Michael Nadel; Moving State to State LLC;
State to State Moving NY INC.;
State to State Moving Group LLC;
Direct Van Lines Services Inc.; and
Around the Clock Moving Services Inc.

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SO ORDERED:

s/ MKB 4/2/2019

MARGO K. BRODIE
United States District Judge